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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number

10/888 736

APPLICATION AS FILED - PART I

(Column 1)		(Column 2)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)		RATE (\$)	FEE (\$)
BASIC FEE (37 CFR 1.16(a), (b), or (c))							
SEARCH FEE (37 CFR 1.16(k), (l), or (m))							
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))							
TOTAL CLAIMS (37 CFR 1.16(j))	minus 20 =	*	x 25 =		OR	x 50 =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	x 100 =			x 200 =	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			+ 180			+ 360	
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED - PART II

(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(j))	* 10	Minus 20	=	x 25 =		OR	x 50 =	
Independent (37 CFR 1.16(h))	* 3	Minus 3	=	x 100 =		OR	x 200 =	
Application Size Fee (37 CFR 1.16(s))								
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				+ 180		OR	+ 360	
				TOTAL		OR	TOTAL	
				ADD'L FEE		OR	ADD'L FEE	

(Column 1)		(Column 2)	(Column 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)		RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(j))	*	Minus **	=	x 25 =		OR	x 50 =	
Independent (37 CFR 1.16(h))	*	Minus ***	=	x 100 =		OR	x 200 =	
Application Size Fee (37 CFR 1.16(s))								
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				+ 180		OR	+ 360	
				TOTAL		OR	TOTAL	
				ADD'L FEE		OR	ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20"

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: PATENT ATSER-007.1

By: 

Bao Tran

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MARTINEZ et al.

Application No.: 10/808,736

Filed: 3/18/2004

For: SYSTEMS & METHODS FOR
AUTOMATING ASPHALT MIX
DESIGN

Examiner: Davis, Octavia L.

Art Unit: 2855

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RESPONSE

Commissioner for Patents
PO BOX 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed Nov 22, 2005, attached please find:

Amendments starting on page 2.

Remarks starting on page 6.

BEST AVAILABLE COPY**REMARKS**

Applicants respectfully traverse all grounds of rejections, but to expedite allowance, have amended the claims. Applicant believes that the amendment is fully responsive to all grounds of rejection set for the in the Office Action mailed November 22, 2005.

Please charge any required small entity fees to Deposit Account 501861.

If for any reasons the Examiner believes a telephone conference would in any way expedite resolution of the issues raised in this appeal, the Examiner is invited to telephone the undersigned at 408-528-7490.

Respectfully submitted,

By: 

Bao Tran
Reg. No. 37,955

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